

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

NORMAN TUCKER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15CV17 SNLJ
)	
PATRICIA KAROL,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to amend his complaint. In his motion and brief in support, plaintiff states that he is seeking leave to amend his complaint and to file a supplemental complaint. Plaintiff cites to Rule 15 of the Federal Rules of Civil Procedure and alleges that the amended and supplemental complaint will relate to allegations in the original complaint and the same factors.

Rule 15 states that "[t]he court should freely give leave [to amend] when justice so requires." The Supreme Court has enunciated the following general standard, which is to be employed under Rule 15(a) by the district courts:

If the underlying facts or circumstances relied upon by a plaintiff may be a proper subject of relief, he ought to be afforded an opportunity to test his claim on the merits. In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc. — the leave sought should, as the rules require, be "freely given."


Foman v. Davis, 371 U.S. 178, 182 (1962). *E.g.*, *Coleman v. Ramada Hotel Operating Co.*, 933 F.2d 470, 473 (7th Cir. 1991) (“Although the federal rules generally favor a liberal amendment policy, justice does not demand that [a party] be given leave to append frivolous or repetitive allegations to [his or] her complaint at any stage in the proceedings.”). Additionally, as plaintiff is proceeding in forma pauperis in this section 1983 action, this Court is required to review any amended pleading under 28 U.S.C. § 1915(e) and dismiss it or any portion of it that is frivolous, malicious, or fails to state a claim on which relief can be granted.

Plaintiff has not submitted a proposed amended or supplemental complaint. Plaintiff does not provide any information as to the new allegations that he would include in his amended and/or supplemental complaint. Without this information, the Court must deny plaintiff’s motion to amend. Further, the Court notes that plaintiff’s motion was filed after the July 1, 2015 deadline in the case management order for the filing of all motions for amendment of pleadings.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to amend (ECF # 20) is **DENIED**.

Dated this 11th day of August, 2015.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE